

SEVENTH ANNUAL REPORT

OF THE

MASSACHUSETTS BOARD OF REGISTRATION
= IN PHARMACY.

FOR THE YEAR 1892.

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Commonwealth of Massachusetts.

REPORT.

To His Excellency WILLIAM E. RUSSELL, Governor of the Commonwealth.

SIR:—In making this, the seventh annual report of the condition of pharmacy in the State, we must refer to our sixth annual report, and add that continued and careful examinations, made by our agent Mr. Vose, exhibit a condition at the present time quite as bad as in November of 1891. Following a no-license vote, ex-saloon men seek the aid of a registered pharmacist at a liberal compensation to open a drug store, that the saloon business may be continued under the protection and guise of a pharmacist's license. While the existing law should be sufficient to protect the people from this hazard to an unsuspecting public, the licensing power does not seem able or willing to withstand the pressure brought to bear by the liquor traffic.

It is with much shame and sorrow that we admit any registered pharmacist will lend his aid to such a degrading work; but our investigation shows conclusively that it is rarely any pharmacist registered by examinations can be thus seduced. From the ranks of those registered without examination, as required when the law went into effect, are found nearly all of the vagabonds who sell themselves for this work, as they are not qualified for the present demands upon a pharmacist. To remedy this fearful evil, or to stop the increase of these dens of vice and crime, and protect innocent and ignorant people, who, seeing druggists' wares exposed, unwittingly purchase what may prove to be a life-destroying instead of a life-giving remedy, is beyond the power of this Board.

With the exception thus plainly indicated, pharmacy as generally understood is making rapid strides in the interests of the public in this Commonwealth. The Massachusetts College of Pharmacy and the Massachusetts State Pharmaceutical Association are exercising such a decided influence in the educational line; and the practical as well as theoretical examinations of the Board of Registration, all combined, have worked harmoniously together, so that it can be truly said we are rapidly securing intelligent, well trained and qualified pharmacists. Were it not for the work of the Board of Registration, and the rejection of so many incompetent applicants, the State would be overrun with the class referred to above. For the credit of the State and the protection of the large masses of the people, it is a necessity that wise and positive legislation should remove the existing evil and prevent this fraud.

A few questions and answers at our last meeting, September, 1892, exhibit the ignorance of several applicants seeking registration to enter the drug business:—

What is ergot? *Ans.* It is a root.

What do deuto., bin. and hypo., as prefixes, signify? *Ans.* Deuto. is single, bin. is single, hypo. is double.

How would you make pills of nitrate of silver? *Ans.* Soap would be a good excipient.

What are nutgalls? *Ans.* A fruit of some plant.

What is ergot? *Ans.* The kernel of rye.

Name the officinal preparations of mercury. *Ans.* Ointment of mercury; don't think of any other.

What is calomel? *Ans.* A mercuric chloride.

What is kino? *Ans.* A cathartic gum.

What is a gum? *Ans.* An aqueous solution of fatty substances.

What is the source of opium? *Ans.* Dug from the ground. Judge so from its appearance, resembling balls like potatoes.

Comment is unnecessary.

We desire to gratefully acknowledge the appropriation made by the Legislature, and we herewith present the report of our agent in detail, with the suggestions made, enforcing them with the assurance of our hearty approval.

AGENT'S REPORT.

LAWRENCE, MASS., Oct. 1, 1892.

To the Board of Registration in Pharmacy.

GENTLEMEN: — I respectfully submit the following report of my labors for the year ending Sept. 30, 1892.

In November and December, 1891, and January, 1892, I visited a large number of drug stores in Boston. The most of them were complying with the law. Some were running two stores on one certificate of registration, some were running on certificates of men who were dead, while others were running without certificates of any kind. Four of these were brought into court and three convicted. I have been there several times since, and have always found violations of the law, but have not been able to procure evidence sufficient to warrant prosecutions.

I visited Somerville in February. In most places the law was complied with. One prosecution followed, in which the party was convicted and paid a fine.

In March I visited Reading, Malden and Cambridge. In the latter place I found some irregularities, but could not find any cases of violation which I could prosecute.

In May I looked over the drug stores in Lawrence, prosecuted one case, where the party was convicted and appealed to the superior court, where the case is pending now. Several places there are run more for the sale of liquor than for anything else, and licenses have been granted to parties who should never have had them, but by employing registered clerks they conform to the law.

In June I visited the drug stores in Haverhill, Amesbury and Newburyport. In Haverhill there were thirty-three drug stores, in all of which the proprietors were registered pharmacists or employed registered clerks. There has been quite an increase in the number of stores since the first of May, owing no doubt to the fact that none but sixth-class licenses are granted there. In August five more licenses were granted to new stores. In these last the licenses were granted to clerks who are registered, the real proprietors being men who until May 1 were engaged in the

liquor business in Haverhill. Nearly all of the clerks who are in these places were registered when the law went into effect, and allowed all clerks who had been employed about a drug store in any capacity to become registered. In that way a great many men are in the drug business to-day who are wholly unfit to put up a prescription or perform any of the duties required of a first-class druggist.

In July I went through the drug stores of Gloucester. They are nineteen in number. In nearly all the proprietors were registered; where they were not, a registered clerk was in charge. Some of the stores had every appearance of doing a thriving liquor business. One druggist told me that there was not drug business enough in Gloucester to support three stores.

In August I looked over the stores in Taunton, Fall River and New Bedford. In Taunton there are ten drug stores, in all of which the proprietors are registered. There was very little indication of liquor business, and every one seemed to be doing a straight drug business. This was my second visit to Fall River, and I took a list of all who had started up within a year. There were several who were doing business illegally. In one place I called for the man whose name appeared on the liquor license (the supposed proprietor), and was told that he had been gone two months. I inquired for the proprietor, and was told that there were two. Both of them were in other business, and neither were druggists; the man in charge was not registered, and the only authority they had for running the store was the liquor license of a man who had been out of town two months. At another place I called for the man whose name appeared as proprietor at the city clerk's office, and was told by a boy in charge that the man had left. His license was there, also his certificate of registration. When asked if they put up prescriptions, I was told that they did not. At another store I inquired for the supposed proprietor, and was told that he had started another store, and had taken his license and certificate with him. There was a certificate on the wall, and I was told that it belonged to a clerk who was employed there. I afterwards learned that this clerk had been employed at other business for three years in a distant part of the city. These are but a part of the cases of a similar character that exist in Fall River. In some of these places the value of the whole stock in trade of drugs would not exceed one hundred dollars. Two of these parties were brought into court and fined.

In New Bedford about the same state of affairs exists as in Fall River. In some cases men were running stores on certificates from

other States, some were running two stores on one certificate, and others had none at all. One man who advertised extensively could never be found in, and the man in charge would not put up a prescription. The place looked more like a junk shop than a drug store. At another place I asked the proprietor if he had a registered pharmacist, and was told that he had, but that he was sick that day; when asked for his certificate of registration he did not seem to know what it meant, but finally referred me to the city clerk. There were not two dozen bottles in the place, and what there were were nearly empty. There have been no licenses granted there this year, but it appears to make no difference to this class of druggists. Four of these parties were brought into court and convicted, two paid fines, and two appealed to the superior court, where the cases are now pending.

During September I have investigated several cases in Boston, but have not been able to find sufficient evidence to warrant prosecutions. The police of Boston, and of all other places that I have visited, have given me all the assistance possible, and have greatly aided me in the prosecution of cases.

In all the cities visited by me the past year my relations with legitimate druggists have been very pleasant and agreeable, and in no case have I found one who was not heartily in accord with the work going on, their only regret being that we could not do more.

I have had fourteen cases before the court since my last report, and have secured convictions in eleven of them. In all cases I have tried to avoid any appearance of persecution, and have only done what I considered my duty in the proper enforcement of the law. In most cases the parties have had counsel, and have had advantages in that respect which I have not, and they can in no case claim that they have not had proper treatment from me.

In my opinion, one of the worst features of the drug business is the wholesale granting of sixth-class licenses to irresponsible parties. Many of them procure a license in May of each year, with the help of a cheap drug clerk, generally one who cannot get employment in a respectable drug store, and soon after discharge him and give up everything but the sale of liquor.

Cases have come to my knowledge where one clerk has assisted two or more parties to procure a license in the same year. Some of these places will not put up a prescription of any kind, but continue to display their fancy bottles, filled in some cases with water of different colors, to give the place to outsiders the appearance of a drug store. If a prescription comes in, they will say that it calls for something that they are all out of, and turn the person away.

As the law in relation to druggists now stands, in order to convict you must have evidence of selling, compounding for sale or dispensing drugs, medicines, chemicals or poisons. Under this law there is nothing to prevent a man from keeping a drug store as long as he desires. He must be caught doing business in order to convict. You will readily see the difficulty in bringing a man to justice who runs his drug store solely for the purpose of selling liquor. It seems to me that a change in the law should be effected, making it an offence for any one other than a registered pharmacist to keep or expose for sale drugs, medicines, chemicals, poisons or druggists' wares, or in any way convey the impression that it is a drug store. In this way legitimate druggists and the public would be protected, and the law more easily enforced. Until some change is made, the work of enforcing the law will increase, as new ways of evading it are constantly springing up.

My sincere thanks are due to your Board, and also to the many reputable pharmacists of the State, for the courtesy and kindness shown me, and also for special assistance in my labors.

CLINTON P. VOSE.

At a meeting of the Massachusetts State Pharmaceutical Association, held in Springfield, Sept. 6, 1892, the following resolutions were unanimously adopted by a rising vote:—

1. *Resolved*, That the Massachusetts State Pharmaceutical Association assembled at Springfield, Sept. 6, 1892, hereby places itself upon record as opposed in every way to the sale of intoxicating liquors in any form other than prescribed by the intent and purpose set forth in the present law for medicinal, chemical and mechanical purposes.

2. *Resolved*, That the large increase of drug stores in several cities of the Commonwealth is solely for the purpose of selling liquors; and that the sixth-class license, so called, is working to the injury rather than the protection of the honest pharmacist, and, unless the growing evil is remedied, had better be repealed.

3. *Resolved*, That this association most emphatically declares that the charge often made that drug stores are "fashionable saloons," and that "all pharmacists will sell liquor to be drank on the premises," is an absolute and malicious falsehood; that such slanders are an outrage; that such charges have been, and are, an excuse and a direct cause of the opening of saloons under the livery of a drug store.

4. *Resolved*, That, as reputable pharmacists, we are suffering in reputation by the operation of the license law, as now enforced, and that it is not only our privilege but positive duty to demand from the Legislature such amendments as shall wipe out the existing evil, and prevent the ex-saloon men from masquerading as pharmacists.

5. *Resolved*, That the committee on legislation be and are hereby instructed to petition the next session of the Legislature as follows :—

Whereas, The United States Pharmacopœia recognizes distilled and fermented liquors as valuable medicinal agents, and of necessity they must be kept in stock by the pharmacist for varied compounds and sale as remedial agents; *and whereas*, the attempt thus far to prevent an abuse of this necessity has signally failed, we, the members of the Massachusetts State Pharmaceutical Association, pray your honorable body for such action as shall bar out the fraud now perpetrated, and make it impossible for any one to open a drinking or liquor-selling saloon under the livery or protection of a drug store or pharmacy.

Thus it will be seen that the intelligent, honest pharmacists of the State are doing all in their power to faithfully aid and assist in protecting the people of this Commonwealth, and most heartily and enthusiastically join us in the demand for such legislation as will absolutely remove and prevent the frauds perpetrated upon the people by the licensing power, who apparently fail to catch and apply the spirit and intent of the present law.

The Board met for organization Oct. 6, 1891, and H. M. Whitney was elected president and F. H. Butler secretary. There have been thirty-six meetings of the Board for examinations, each meeting averaging from 9 to 1, and 2 to 6 o'clock, as follows :—

					Members Present.	Examined.	Passed.	Rejected.
1891.								
October	6,	.	.	.	3	12	4	8
	7,	.	.	.	4	15	5	10
	8,	.	.	.	4	14	4	10
	27,*	.	.	.	4	—	—	—
November	17,	.	.	.	4	11	4	7
	18,	.	.	.	4	16	6	10
	19,	.	.	.	4	15	2	13
1892.								
January	5,	.	.	.	3	14	6	8
	6,	.	.	.	4	16	4	12
	7,	.	.	.	3	14	1	13
February	9,	.	.	.	4	11	3	8
	10,	.	.	.	4	15	3	12
	11,	.	.	.	4	12	8	4
March	1,	.	.	.	4	9	4	5
	2,	.	.	.	4	14	2	12
	3,	.	.	.	4	14	6	8
	29,	.	.	.	5	15	3	12
	30,	.	.	.	5	14	2	12
	31,	.	.	.	5	15	7	8
April	19,	.	.	.	4	11	2	9
	20,	.	.	.	5	11	3	12
	21,	.	.	.	5	15	5	10
May	3,	.	.	.	4	16	3	13
	4,	.	.	.	4	15	6	9
	5,	.	.	.	4	13	3	10
	17,†	.	.	.	5	10	5	5
	18,	.	.	.	5	15	4	11
	19,	.	.	.	5	15	4	11
June	7,	.	.	.	4	15	4	11
	8,	.	.	.	4	12	5	7
	9,	.	.	.	4	15	7	8
	21,	.	.	.	4	8	1	7
	22,	.	.	.	4	13	4	9
	23,	.	.	.	4	15	6	9
September	13,	.	.	.	3	10	3	7
	14,	.	.	.	3	14	4	10
	15,	.	.	.	3	15	4	11
Total, thirty-six meetings, . . .						488	147	341

Of the above 488, 235 are original or first examinations, and 253 are re-examinations.

* This meeting was to act on the annual report.

† Four ladies.

A brief summary of the seven years' examinations exhibits the increasing work of the Board : —

	Examined.	Rejected.
First year,	101	79
Second year,	167	97
Third year,	213	124
Fourth year,	276	141
Fifth year,	279	156
Sixth year,	315	200
Seventh year,	488	341

FINANCIAL STATEMENT.

Oct. 1, 1891, cash in hands of State treasurer,	\$410 67
Received during the year from applications,	\$1,981 00
Received during the year from nine duplicate certificates,	4 50
	<hr/>
Total receipts for the year,	1,985 50
	<hr/>
Total amount in hands of State treasurer,	\$2,396 17

Drafts have been as follows : —

	Services.	Expenses.
H. M. Whitney,	\$285 00	\$136 85
F. H. Butler,	522 50	226 55
John Larrabee,	177 50	40 45
A. K. Tilden,	112 50	15 00
John A. Rice,	90 00	103 90
	<hr/>	<hr/>
Total,	\$1,187 50	\$522 75
	<hr/>	<hr/>
		\$1,710 25
T. T. Bailey, services as monitor,		\$81 00
E. L. Warren, services as monitor,		9 00
E. C. Gould, services as monitor,		9 00
William Dempsey, services as monitor,		9 00
Josephine C. Butler, making five index records,		52 50
Bacheller, Dumas & Co., five index books,		22 50
Dunton & Potter, printing examination questions,		9 00
"Vox Populi Press," stamped envelopes and printing,		42 75
C. F. Hatch & Co., rolls for certificates,		2 00
Winkley, Dresser & Co., stationery,		9 40
Morning Mail Company, stamped envelopes, cards and printing,		38 25
		<hr/>
		284 40
Balance,		401 52
		<hr/>
		\$2,396 17
Balance in hands of State treasurer,		401 52

LIABILITIES.

Examinations not made (from previous years),	\$49 00	
Examinations not made (from this year),	218 00	
H. M. Whitney,	28 75	
F. H. Butler,	66 15	
G. C. Cannon,	6 12	
A. K. Tilden,	1 50	
	<hr/>	\$369 52
Balance to next year's account,	32 00	
	<hr/>	\$401 52

In concluding this report, we most earnestly request a careful examination and consideration of the work being done. We have no desire to magnify or proclaim the value of our work in the interest and protection of the people of this Commonwealth, but we confidently assert, from our own experience, and from the kind words of encouragement so often heard by us and our agent, Mr. Vose, that much good has been accomplished, much moral evil prevented, and that we have the hearty approval and appreciation of all thoughtful and honest people, and great regret is daily expressed that legislation does not more effectually aid the work.

Respectfully submitted,

H. M. WHITNEY, *President.*

JOHN LARRABEE.

AMOS K. TILDEN.

JOHN A. RICE.

F. H. BUTLER, *Secretary.*

Boston, Oct. 5, 1892.